SectorAS Express Mail Label No. EL 92 3 362 US PTO/SB/21 (08-00) type a plus sign (+) inside this box --> + Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 10/040,538 Application Number **TRANSMITTAL** Filing Date December 28, 2001 **FORM** First Named Inventor Stephen D. Pacetti et al. (to be used for all correspondence after initial filing) Group Art Unit 1762 **Examiner Name** Unassigned

**Attorney Docket Number** 

ENCLOSURES (check all that apply)

50623.149

April 26, 2002

April 26, 2002

After Allowance Communication to

11

Assignment Papers

1850			(for an Application)	Group				
Fee Attached			Formal Drawings	Appeal Communication to Board of Appeals and Interferences				
Amendment / Response			Licensing-related Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)				
After Final			Petition	Proprietary Information				
Affidavits/declaration(s)			Petition to Convert to a Provisional Application	Status Letter				
Extension of Time Request			Power of Attorney, Revocation Change of Correspondence Address	Other Enclosure(s) (please identify below):				
Express Abandonment Request			Terminal Disclaimer	Notice to File Missing Parts of				
		uest	Request for Refund	Nonprovisional Application				
Information Disclosure Statement			CD, Number of CD(s)					
Certified Copy of Priority Document(s)			Remarks					
Response to Missing Parts under 37 CFR 1.52 or 1.53			<del></del>					
Combined Declaration for Patent Application & Power of Attorney								
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT								
Firm <i>or</i> Individual name		Sanders & Meyer <del>, J</del> r.	Dempsey, L.L.P.					
Signature	1	/ 0						
Date	April 26,	2002						
CERTIFICATE OF MAILING								

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope

addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:

Paul J. Meyer, Jr., Reg. No. 47,791

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Signature

Total Number of Pages in This Submission

Deposit Account Authorization 07-

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Examiner:

Unassigned

Stephen D. Pacetti et al.

Serial No.

10/040,538

Art Unit:

1762

Filed:

December 28, 2001

Title:

A System And Method For Coating Implantable Devices

Attn.: Initial Patent Examination Division

Commissioner for Patents Washington, DC 20231

## RESPONSE TO NOTICE TO FILE MISSING PARTS UNDER 37 C.F.R. 1.53(b)

#### Dear Sir/Madame:

In response to the Notice to File Missing Parts of Application mailed on March 29, 2002 in the above-identified application, enclosed herewith are the missing parts needed to complete filing of the above-identified patent application. The signed declaration (3 pages) for patent application by each named inventor is enclosed herewith under 37 C.F.R. §§1.27 and 1.16(e). An Assignment Agreement and a Recordation Form Cover Sheet is also enclosed herewith.

The fees associated with the filing of this response are shown below:

			Fees	
Filing Fee			\$	0.00
Missing Parts Surcharge			\$	130.00
Any Additional Claim(s) over 20	X\$18.00		\$	0.00
Any Additional Independent Claim(s) over 3	X\$80.00		\$	0.00
Multiple Claim(s)	X\$270.00		\$	0.00
Recordation of Assignment Fee			\$	40.00
For Large Entity	TOTAL FEE ENCLOSED		\$	170.00
Divide In Half For Small Entity		=	\$	0.00

No additional fee is required for this amendment.
 Please charge Deposit Account No. 07-1850 in the amount of \$170.00.
 The Commissioner is hereby authorized to charge any additional fees and credit any overpayments to Deposit Account No. 07-1850

Applicants believe that all requirements for the filing of the above-identified patent application have been met. The Patent and Trademark Office is respectfully requested to forward the application for examination.

Respectfully submitted,

Date: April 26, 2002

SQUIRE, SANDERS & DEMPSEY L.L.P.

One Maritime Plaza, Suite 300

One Maritime Plaza, Suite 300 San Francisco, California 94111

(415) 954-0200

Paul J. Meyer, Jr.

Attorney for Applicants

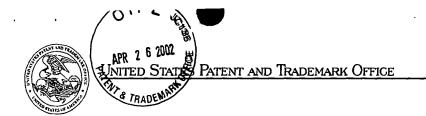
Reg. No. 47,791

### **CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail in an envelope addressed to the Commissioner for Patents,

Washington, D.C. 20231, on April 26, 2002.

Name of person signing certification



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023
www.uspio.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/040,538

Suite 300

One Maritime Plaza San Francisco, CA 94111

Squire, Sanders & Dempsey L.L.P.

12/28/2001

Stephen D. Pacetti

50623.149

**CONFIRMATION NO. 3811** 

**FORMALITIES LETTER** 

\*OC000000007749726\*

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Date Mailed: 03/29/2002

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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